

REMARKS

Careful consideration has been given to the Official Action of March 30, 2004 and reconsideration of the application as amended is respectfully requested.

Claims 18-24, 31-36, 38 and 40-45 are currently pending.

Drawings

The Examiner has raised objection to the drawings for failing to illustrate every feature of the invention specified in the claims.

A replacement sheet of drawing submitted herewith which is fully supported by the original disclosure and illustrates subject matter clearly described therein. Reference characters have been added to coordinate the language of the specification with the drawing.

The specification has been amended to be consistent with the drawing and to adopt the reference numerals added to the drawing. It is respectfully submitted that no new matter has been added and the drawing as amended is fully supported by the original disclosure.

The Examiner has rejected the claims under 35 U.S.C. § 112 first and

second paragraph.

Amendatory action has been taken in the claims, particularly in those claims to which the Examiner has raised specific objection. In these claims, reference characters have been added which are now referred to the specification and drawings to clearly show the support of the language used in the claims for that in the specification. The drawings illustrate all claimed subject matter thereby overcoming the objection in this regard raised by the Examiner.

It is respectfully submitted that the specification clearly instructs one skilled in the art as to how to make and use the invention and it is thus submitted that the Examiner's objections have been overcome.

With regard to the specific question raised by the Examiner concerning pixels not being counted which are too close to disturbing stars, it is believed clear that the disclosure is unambiguous on this point insofar that the field of the image pick-up device is divided into a matrix of pixels (as is customary) and distances are measured by reference to the number of pixels (also as is customary). Thus, when a distance of 3 pixels, for example, is referred to this is indicative of a dimension, for example, between a star image and the image of the rim of the earth. When reference is made of a distance of up to 3 pixels, this refers to the limit distance of the star image from the image of the rim of the earth. Those skilled in the art will readily understand this and requires no further

elaboration than that which has been set forth in the specification.

Regarding the failure of the claims to comply with the written description requirement, appropriate amendatory action has been taken in the claims so that they conform precisely to the language in the specification thus overcoming the objection raised by the Examiner. All language present in the claims has clear antecedent support in the specification. Clarification has been made in the claims to indicate that those areas where the star image is superimposed on the image of the rim of the earth (i.e. within three pixels) those areas are disregarded in determining the image of the rim of the earth. The independent claims have been amended to reflect this as it is set forth in the original specification and particularly in original claim 6.

Regarding claims 41 and 43-45, the stars which are used in the star tracking for evaluation are those which are outside the rim of the earth, for example, by at least three pixels.

With regard to the rejection of the claims under 35 U.S.C. § 112 second paragraph, amendatory action has been taken to clearly provide antecedent support for all terms used in the claims and for antecedent support in the specification. Additional numerals have been added in the claims as necessary so that there will be clear consistency and no ambiguity between the claims, the drawing and the specification.

Claim 32 has been cancelled as redundant as noted by the Examiner.

Claim 42 has been amended to correct the obvious typographical error therein.

On the basis of the above action and comments, it is respectfully submitted that the claims are now no longer subject to rejection under 35 U.S.C. § 112. Since the Examiner has not made any rejection on cited art, it is respectfully submitted that the claims are now in condition for allowance early notice of which would be appreciated.

It is requested that the Examiner contact the undersigned if the Examiner intends to issue a further rejection.

Respectfully submitted,



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IN THE DRAWINGS

A replacement of sheet 1 is attached hereto. In this sheet, Fig. 1 has been amended to illustrate the earth and the stars and to apply reference characters thereto. Fig. 1A has been added and shows the focal plane image of the earth and stars and association with the star catalog.